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By Delene C. Neale

Attorney Docket No. 13119-1-3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)
DUNMIRE, et al.) Examiner: J. Rivell
Serial No.: 08/046,337) Art Unit: 3407
Filed: April 12, 1993) TERMINAL DISCLAIMER
For: BACKFLOW PREVENTOR WITH)
ADJUSTABLE OUTFLOW)
DIRECTION)

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

Your petitioner, CMB INDUSTRIES, of 1550 North Peach, Fresno, California, represents that petitioner is owner by assignment of application Serial No. 08/046,337, filed April 12, 1993, for BACKFLOW PREVENTOR WITH ADJUSTABLE OUTFLOW DIRECTION. The assignment, filed in connection with Serial No. 07/848,574, now U.S. Patent 5,226,441, which was the parent of the present Rule 60 continuation application was recorded at reel 6184, frame 0758 and reel 6215, frame 068. Your petitioner hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the full statutory term of any patent granted from United States Patent Application No. 4,991,622 and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patent granted from United States Patent Application No. 4,991,622, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, the grantee's successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of any patent granted

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from United States Patent Application No. 4,991,622 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term, except for the separation of legal title stated above. Petitioner expressly reserves and does not waive the right to extend the term of any patent granted on the above-identified application under any statute which permits such an extension of term.

CMB INDUSTRIES

Date: Aug 5/94

By: John Deever

Title: C.O.O.

CERTIFICATE UNDER 37 C.F.R. § 3.73(b)

Applicant: Dunmire, et al.

Application No.: 08/046,337 Filed: April 12, 1993

For: BACKFLOW PREVENTOR WITH ADJUSTABLE OUTFLOW DIRECTION

CMB INDUSTRIES (Name of Assignee), a California corporation (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A. An assignment from the inventors of U.S. Serial No. 07/848,574, now U.S. Patent 5,226,441, which was the parent of the present Rule 60 continuation application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 6184, Frame(s) 0758, and Reel 6215, Frame(s) 068 or for which a copy thereof is attached.

OR

B. A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date : June 5, 1994

Name : John Blewett

Title : J.C.P.O.

Signature : John Blewett